



State of Connecticut

HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE DEVIN R. CARNEY
TWENTY-THIRD ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING, ROOM 4200
300 CAPITOL AVENUE
HARTFORD, CT 06106-1591

CAPITOL: (860) 240-8700
TOLL FREE: (800) 842-1423
Devin.Carney@housegop.ct.gov

MEMBER
ENVIRONMENT COMMITTEE
HIGHER EDUCATION AND EMPLOYMENT
ADVANCEMENT COMMITTEE
TRANSPORTATION COMMITTEE

Wednesday, March 3, 2016
Public Hearing Testimony
Labor and Public Employees Committee

Dear Senator Gomes, Representative Tercyak, Senator Hwang, Representative Rutigliano and esteemed members of the Labor and Public Employees Committee, I submit this testimony in *opposition* of S.B. No. 39 (RAISED) AN ACT CONCERNING THE MINIMUM FAIR WAGE AND EMPLOYEES WHO CUSTOMARILY AND REGULARLY RECEIVE GRATUITIES.

While I applaud the Committee for their interest in the well-being of restaurant servers, as someone who has worked in the restaurant industry in the past, I believe this legislation will actually have the opposite effect of what it intends to do.

Most restaurant employees are at-will, which means that they can quit or be fired for almost any reason. If the minimum wage is enforced in the way SB 39 intends it to be, then many restaurants will downsize staff or do what Chili's does and replace servers with computers. Restaurants won't do this because they despise their workers, but because they have to survive (the failure rate of restaurants is high). When diners go out and spend their hard earned money, they deserve the best service possible and the current system is actually extremely beneficial to both parties. I always tip 20% or more – as many do – because I respect servers and know how hard the work is and the sacrifices that are often made. Not to mention, many servers tend to give their best service because they know it will mean better tips.

Oftentimes, at the end of the day, servers make much higher than minimum wage because of their ability to receive tips. When a restaurant does well, it's servers do well, which is why it's important to allow restaurant owners to *invest* in the way they best see fit, not with government forcing them to spend in an area that's currently not broken. I have made between \$250-300 on some nights for less than 8 hours of work due to tips – why punish a restaurant for making that possible?

The AFL-CIO seems to imply they would like to see tips be removed and servers paid simply hourly wages – that is preposterous and will affect thousands of restaurant workers who work *extremely hard* to receive the most they can, which the current system allows.

As someone who has ‘worked the grind’ in this area, I believe the Committee would be making a huge mistake by passing SB 39.

Unfortunately, I was unable to make the public hearing, but believe I can offer ‘first-hand’ knowledge of this industry from an employee level and would certainly be open to further discussions.

Thank you for the opportunity to testify.

Devin Carney